

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NET INNOVATE INTERNATIONAL PTE. LTD.
19 Kallang Avenue, #06-159
Singapore 339410

Plaintiff,

vs.

DATAQ INTERNET EQUIPMENT CORPORATION
530 S. Henderson Road
King of Prussia, PA 19406

and

UNITE HARDWARE, LLC
d/b/a DATAQDIRECT
530 S. Henderson Road
King of Prussia, PA 19406

Defendant.

CIVIL ACTION NO.

18 1264

COMPLAINT

PARTIES

1. Plaintiff Net Innovate International Pte. Ltd. ("Net Innovate") is a private limited company with a principal place of business as captioned.
2. Net Innovate is a citizen of Singapore.
3. Defendant DataQ Internet Equipment Corporation ("DataQ") is a Pennsylvania corporation with a principal place of business as captioned.
4. DataQ is a citizen of the United States of America.
5. Defendant Unite Hardware, LLC d/b/a DataQDirect ("DataQDirect") is, upon information and belief, a Pennsylvania limited liability company with a principal place of business as captioned.

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6. DataQDirect is a citizen of the United States of America.

JURISDICTION & VENUE

7. This Honorable Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1332 because there is complete diversity of citizenship among the parties and the amount in controversy is in excess of \$75,000.00.

8. Venue in this Honorable Court is proper because DataQ has a principal place of business within this judicial district.

FACTS

9. Plaintiff incorporates the foregoing paragraphs as though fully set forth at length herein.

10. Plaintiff specializes in the sale and distribution of I/T networking equipment (the “Equipment”) to customers in Singapore, Europe, and the United States.

11. In or around September 2015 Plaintiff began supplying Equipment to Defendants.

12. From September 2015 through approximately February 2018, Plaintiff has supplied Defendants with approximately \$3,500,000.00 worth of Equipment.

13. Defendants DataQ and DataQDirect are, upon information and belief, related entities controlled by the same principals.

14. Upon information and belief, the principals of Defendants DataQ and DataQDirect use those entities interchangeably.

15. On or about July 12, 2017, Defendants issued Purchase Order No. 11836 to Plaintiff (the “July 2017 PO”).

16. A true and correct copy of the July 2017 PO is attached hereto and made a part hereof as Exhibit "A."

17. Pursuant to the July 2017 PO, Defendants purchased \$103,724.06 worth of Equipment from Plaintiff.

18. The Equipment purchased pursuant to the July 2017 PO was delivered to Defendants on July 24, 2017.

19. At the time Defendants issued the July 2017 PO, Defendants were significantly behind in payments to Plaintiff.

20. As such, Plaintiff agreed to provide the Equipment ordered in the July 2017 PO to Defendants on a "consignment" basis whereby Defendants were required to provide Plaintiff with a sales report every two weeks along with a payment for the associated Equipment.

21. After 90 days from the date of delivery (or October 24, 2017), Defendants were required to either (a) return all unsold Equipment to Plaintiff; or (b) negotiate a discount on the unsold Equipment and then pay the discounted sum of Plaintiff.

22. Defendants failed to return any unsold Equipment to Plaintiff on or before October 24, 2017.

23. The sum of \$20,000.00 remains due and owing for Equipment provided to Defendants pursuant to the July 2017 PO.

24. On or about November 2, 2017, Defendants issued Purchase Order No. 12013 to Plaintiff (the "November 2017 PO").

25. A true and correct copy of the November 2017 PO is attached hereto and made a part hereof as Exhibit "B."

26. Pursuant to the November 2017 PO, Defendants purchased \$125,534.70 worth of Equipment from Plaintiff.

27. The Equipment purchased pursuant to the November 2017 PO was delivered to Defendants on November 14, 2017.

28. The terms and conditions of payment for the November 2017 PO were the same as for the July 2017 PO.

29. As such, Defendants were required to provide Plaintiff with a sales report every two weeks along with a payment for the associated Equipment.

30. Defendants did not provide Plaintiff with any sales reports relative to the November 2017 PO.

31. After 90 days from the date of delivery (or February 13, 2018), Defendants were required to either (a) return all unsold Equipment to Plaintiff; or (b) negotiate a discount on the unsold Equipment and then pay the discounted sum of Plaintiff.

32. Defendants failed to return any unsold Equipment.

33. Defendants have not made a single payment toward the November 2017 PO.

34. To date, Defendants owe Plaintiff the total sum of \$145,534.70 (the "Outstanding Balance").

35. On February 27, 2018, Plaintiff demanded that Defendants pay the Outstanding Balance to Plaintiffs.

36. A true and correct copy of the February 27, 2018 demand letter is attached hereto and made a part hereof as Exhibit "C."

37. Despite demand, Defendants have failed and refused to pay the Outstanding Balance to Plaintiff.

COUNT I - BREACH OF CONTRACT

38. Plaintiff incorporates the foregoing paragraphs as though fully set forth at length herein.

39. Each of the Purchase Orders constitutes a binding contract between Plaintiff and Defendants.

40. As set forth above, pursuant to the Purchase Orders, Defendants agreed to pay Plaintiff for the Equipment set forth in the Purchase Orders.

41. As set forth above, Defendants breached the agreement by, among other things, failing and refusing to pay amounts due and owing to Plaintiff and failing and refusing to return unsold Equipment to Plaintiff.

42. As a result of Defendants' breaches of the agreement, Plaintiff has been damaged.

WHEREFORE, Plaintiff Net Innovate International Pte. Ltd. demands judgment in its favor and against Defendants DataQ Internet Equipment Corporation and Unite Hardware, LLC d/b/a DataQDirect, jointly and severally, in the sum of \$145,534.70 plus prejudgment interest, post-judgment interest, costs, and any other relief this Honorable Court deems just and proper.

COUNT II - UNJUST ENRICHMENT

43. Plaintiff incorporates the foregoing paragraphs as though fully set forth at length herein.

44. Defendants received a benefit from Plaintiff in the form of delivery of the Equipment.

45. It would be unjust for Defendants to retain those benefits as Defendants did not pay Plaintiff the agreed-upon prices for the Equipment.

WHEREFORE, Plaintiff Net Innovate International Pte. Ltd. demands judgment in its favor and against Defendants DataQ Internet Equipment Corporation and Unite Hardware, LLC d/b/a DataQDirect, jointly and severally, in the sum of \$145,534.70 plus prejudgment interest, post-judgment interest, costs, and any other relief this Honorable Court deems just and proper.

LUNDY, BELDECOS & MILBY, P.C.

Date: 3/20/2018

By: 

JESSICA M. GULASH, ESQUIRE
PA ID #208463

450 N. Narberth Avenue, Suite 200
Narberth, PA 19072

(610) 668-0772
jgulash@lbmlaw.com

Attorney for Plaintiff

Exhibit “A”



Suite A
King Of Prussia, PA 19406-4211

Purchase Order

Phone # (610) 354-9070
Fax # (610) 354-9852

purchasingteam@dataqdirect.com
www.DataQDirect.com

Date	P.O. No.
7/12/2017	11836

Vendor

Net Innovate International PTE LTD
Ashish Malhotra
16 Raffles Quay, #33-03
Hong Leong Building
Singapore 048581

Ship To

Seth Krawitz
DataQDirect
530 South Henderson Road
Suite A
King Of Prussia PA 19406

Buyer

SK

FOB	Product Type	Payment Method	Must Ship By	Expected ETA	Ship Via
Origin	Cisco	NET 90	7/19/2017	7/26/2017	Will Call

Item	Description	Qty	Rate	Rcv'd	Amount
AIR-PWRINJ5=	POWER INJECTOR (802.3AF) FOR AP 1600, 2600 AND 3600 W/O MOD	30	25.74	0	772.20
ASA5506-WALL-MNT	WALL MOUNT FOR ASA 5506	5	30.00	0	150.00
ASA5512-FPWR-K9	ASA 5512-X WITH FIREPOWER SERVICES, 6GE, AC, 3DES/AES, SSD	3	1,288.50	0	3,865.50
CAB-STACK-50CM=	CISCO STACKWISE 50CM STACKING CABLE	28	11.00	0	308.00
CISCO2901-SEC/K9	2901 ROUTER WITH 2 GE, 4 EHWIC, 2 DSP, 256MB CF, 512 DRAM, IP BASE WITH SECURITY LICENSE PAK	2	875.16	0	1,750.32
CISCO2901-V/K9	2901 ROUTER WITH VOICE BUNDLE (PVDM3-16, UC LICENSE PAK, FL-CUBE10) 2 GE, 4 EHWIC, 2 DSP, 256MB CF, 512 DRAM, IP BASE	2	831.25	0	1,662.50
CISCO2911/K9	2911 ROUTER WITH 3 GE, 4 EHWIC, 2 DSP, 1 SM 256MB CF, 512 DRAM, IP BASE	4	823.26	0	3,293.04
CISCO2901-V/K9	2901 ROUTER WITH VOICE BUNDLE (PVDM3-16, UC LICENSE PAK, FL-CUBE10) 2 GE, 4 EHWIC, 2 DSP, 256MB CF, 512 DRAM, IP BASE	2	1,068.51	0	2,137.02
CP-PWR-CUBE-3=	IP PHONE POWER TRANSFORMER FOR THE 7900 PHONE SERIES	40	13.50	0	540.00
EHWIC-D-8ESG	8 PORT ETHERNET SWITCH INTERFACE CARD	5	207.00	0	1,035.00
GLC-TE	1000BASE-T SFP EXTENDED TEMPERATURE RANGE	40	82.95	0	3,318.00
ISR4331/K9	ISR 4331, 2GE, 2NIM, 1SM, 4G FLASH, 4G DRAM, IP BASE	2	990.00	0	1,980.00
ISR4331/K9	ISR 4331, 2GE, 2NIM, 1SM, 4G FLASH, 4G DRAM, IP BASE	1	956.57	0	956.57
NIM-4FXO	4-port Network Interface Module - FXO (Universal)	3	345.00	0	1,035.00

Total



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Ashish Malhotra
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Hong Leong Building
Singapore 048581

Ship To

Seth Krawitz
DataQDirect
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Buyer

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Origin	Cisco	NET 90	7/19/2017	7/26/2017	Will Call

Item	Description	Qty	Rate	Rcv'd	Amount
PWR-1941-POE	CISCO 1941 AC POWER SUPPLY WITH POWER OVER ETHERNET	2	71.23	0	142.46
PWR-2911-POE	CISCO 2911 AC POWER SUPPLY WITH POWER OVER ETHERNET	2	122.11	0	244.22
PWR-3925-AC-	CISCO 3925/3945 AC POWER SUPPLY	4	142.47	0	569.88
PWR-IE170W-PC-AC	IE family power supply 170W. AC to DC	1	495.00	0	495.00
SRW248G4-K3-NA	SF300-048 48-PORT 10/100 MANAGED SWITCH WITH GB UPLINKS	2	198.12	0	396.24
STACK-T1-1M	1M TYPE 1 STACKING CABLE SPARE FOR 3850 SWITCH	10	61.06	0	610.60
WS-C2950-24TC-L	LAN BASE, 24 PORT, 2 DUAL MODE UPLINKS, NO FLEX STACK STACKING	10	381.62	0	3,816.20
WS-C2960CG-8TC-L	CAT 2960C SWCH 8 GE 1X DUAL UPLINK LAN BASE	15	371.43	0	5,571.45
WS-C2950X-24PD-L	LAN BASE, 24 PORT, 2 SFP+ UPLINKS, 370W POE, OPTIONAL FLEX STACK-PLUS STACKING	6	1,261.85	0	7,571.10
WS-C2960X-48FPD-L	LAN BASE, 48 PORT, 2 SFP+ UPLINKS, 740W POE, OPTIONAL FLEX STACK-PLUS STACKING	2	1,758.90	0	3,517.80
WS-C2960X-48TD-L	LAN BASE, 48 PORT, 2 SFP+ UPLINKS, OPTIONAL FLEX STACK-PLUS STACKING	3	1,479.63	0	4,438.89
WS-C3560C-12PC-S	CAT 3560C SWCH 12 FE POE 2 X DUAL UPLINK IP BASE	8	580.00	0	4,640.00
WS-C3560C-8PC-S	CAT 3560C SWCH 8 FE POE 2 X DUAL UPLINK IP BASE	20	480.00	0	9,600.00
WS-C3560CG-8TC-S	CAT 3560C SWCH 8 GE 2 X DUAL UPLINK IP BASE	10	448.50	0	4,485.00
WS-C3560CPD-8PT-S	CAT 3560C PD PSE SWCH 8 GE POE 2 X 1G IP BASE	8	487.50	0	3,900.00
WS-C3560CX-12PD-S	CISCO CATALYST 3560-CX 12 PORT POE, 10G UPLINKS IP BASE	2	694.55	0	1,389.10

Total



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Date	P.O. No.
7/12/2017	11836

Vendor

Net Innovate International PTE LTD
Ashish Malhotra
16 Raffles Quay, #33-03
Hong Leong Building
Singapore 048581

Ship To

Seth Krawitz
DataQDirect
530 South Henderson Road
Suite A
King Of Prussia PA 19406

Buyer

SK

FOB	Product Type	Payment Method	Must Ship By	Expected ETA	Ship Via
Origin	Cisco	NET 90	7/19/2017	7/26/2017	Will Call

Item	Description	Qty	Rate	Rcv'd	Amount
WS-C3560CX-8PC-S	CISCO CATALYST 3560-CX 8 PORT POE IP BASE	20	508.50	0	10,170.00
WS-C3560CX-8TC-S	CISCO CATALYST 3560-CX 8 PORT DATA IP BASE	20	419.05	0	8,381.00
WS-C3650-48TD-L	LAN BASE, 48 PORT, 2X10G ETHERNET W/ SFP+ UPLINKS, 250W DEFAULT POWER NO AVAILABLE POE POWER	1	1,976.00	0	1,976.00
WS-C3650-48TD-S	IP BASE, 48 PORT, 4X10G ETHERNET W/ SFP+ UPLINKS, 250W DEFAULT POWER NO AVAILABLE POE POWER	1	2,900.23	0	2,900.23
WS-C3850-48F-L	LAN BASE, 48 POE+PORT, 4X1GE AND 2X10GE UPLINKS, 1100W DEFAULT PWR 800 AVAILABLE POE POWER, W/ STACK POWER	2	3,052.87	0	6,105.74

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Origin	Cisco	NET 90	7/19/2017	7/26/2017	Will Call

Item	Description	Qty	Price	Amount	Amount
	<p>THE DEAL IS NOT 3P</p> <p>Product must be back on pallets no taller than 150cm tall</p> <p>Weights and dims along with the shipping address must be given to dataq in order for it to be picked up</p> <p>This product will be shipped in DataQ's shipping account to DataQ's warehouse</p> <p>Once the product is in DataQ's warehouse they become sellable product</p> <p>DataQ will give a Sales Report every 2 weeks with what products have sold along with payment accounting</p> <p>The seller is also able to sell from this stock as well and DataQ will pack and bill/ship it for you on you or your customer's shipping account</p> <p>The products will be stored and sold from DataQ's location until the seller and dataq agree upon a time to end the consignment or 3 months, which ever comes first</p> <p>At the end of the consignment deal DataQ will buy the unsold stock at the end of the 90 day period at mutually agreeable discounts, discussed and negotiated at the end</p> <p>DataQ can choose to just buy certain or all products that are left at the end of consignment</p>				

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Origin	Cisco	NET 90	7/19/2017	7/26/2017	Will Call

Item	Description	Qty	Rate	Rcv'd	Amount
	<p>****THIS SHIPMENT MUST SHIP ON PALLET(S)</p> <p>****ALL PALLETS MUST BE PACKED NO HIGHER THAN 150CM TALL</p> <p>****ALL PALLETS MUST BE SHIPPED USING CORNER BOARD AND STRAPS TO PROTECT THE PRODUCT ALONG WITH BLACK SHRINK WRAP/STRETCHWRAP</p> <p>****INORDER FOR THIS SHIPMENT TO BE PICKED UP BY DATAQ THE WEIGHTS AND DIMMENSIONS MUST BE PROVIDED ALONG WITH SHIPPERS CONTACT INFO (NAME PHONE NUMBER AND EMAIL ADDRESS) PACKING SLIP, SERIALS AND COMMERCIAL INVOICE.</p> <p>****THE COMMERCIAL INVOICE MUST HAVE THE CORRECT DECLARED VALUE ON IT TO ENSURE NO CUSTOMS ISSUES/DELAYS/SEIZURES</p> <p>****THE SERIALS ARE TO BE CLEAN/UNREGISTERED OF ANY AFTER SALES PROGRAMS/WARRANTIES</p> <p>****THIS PO IS PAYABLE NET 90 DAYS AFTER THE PRODUCT HAS REACHED OUR WAREHOUSE.</p> <p>****THIS SHIPMENT MUST BE READY TO SHIP BY 07/19/2017 (WEIGHTS AND DIMMENSIONS HANDED OVER), EVERY DAY AFTER THIS DATE WILL RESULT IN AN EXTENSION OF NET TERMS AT DATAQ'S DISCRETION.</p> <p>****THE BOXES MUST BE IN RETAIL CONDITION, CLEAN WITH NO HAND</p>				

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Item	Description	Qty	Rate	Rcv'd	Amount
	<p>WRITING ON THE BOX.</p> <p>***THIS SHIPMENT MUST INCLUDE USA POWER CORD UNLESS OTHERWISE INDICATED</p> <p>***THE PRODUCT MUST HAVE BEEN MANUFACTURED NO EARLIER THAN 1 YEAR BEFORE THE PURCHASE DATE ON THIS PO</p> <p>***THE PRODUCT MUST HAVE THE MOST UP TO DATE SOFTWARE</p> <p>***BOX DATES ARE NOT TO BE EARLIER THAN ONE YEAR BEFORE THE MANUFACTURING PART DATE</p> <p>***BOX DATES ARE NOT TO BE LONGER THEN 30 DAYS AFTER THE MANUFACTURING PART DATE</p> <p>***SHIPMENT MUST BE SHIPPED WITH THE HTS CODE 8517.62.0050 UNLESS STATED OTHERWISE BY DATAQ</p> <p>***PO IS TO SHIP TOGETHER IN FULL AS ONE SHIPMENT UNLESS OTHERWISE STATED BY DATAQ</p> <p>***ALL PRODUCTS ARE TO BE 100% REAL ORIGINAL GENUINE TO THE MANUFACTURE STATED IN THIS PO, NO UPGRADES OR FAKES WILL BE ACCEPTED BY DATAQ</p> <p>***IF ANY OF THE ABOVE CONDITIONS ARE NOT MET DATAQ HAS THE RIGHT TO CANCEL THIS PO/PAYMENT OR RETURN ANY PRODUCT AT ANY POINT</p> <p>ALL CREDIT CARD, SALES TAX AND FREIGHT CHARGES ADDED TO INVOICE</p>				

Total



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Origin	Cisco	NET 90	7/19/2017	7/26/2017	Will Call

Item	Description	Qty	Rate	Rcv'd	Amount
	<p>NOT LISTED ON OUR PO WILL NOT BE PAID AND BE THE RESPONSIBILITY OF THE SHIPPER</p> <p>SELLER REPRESENTS, WARRANTIES AND GUARANTEES:</p> <p>1. PRODUCT WAS PURCHASED FROM THE AUTHORIZED BUSINESS PARTNER/DISTRIBUTOR CHANNEL IN A LEGAL AND ETHICAL MEANS.</p> <p>2. WE WILL NOT ACCEPT BOX DATES THAT ARE LATER THE MFG PART DATE.</p> <p>3. THE PRODUCT IS GENUINE PRODUCT. PRODUCT AND SERIAL NUMBERS AS WELL AS BOX AND LABELS HAVE NOT BEEN ALTERED OR TAMPERED WITH IN ANYWAY. THE SERIAL NUMBERS ARE THE ORIGINAL SERIAL NUMBERS THAT WERE GENERATED WHEN THE PRODUCT WAS MANUFACTURED BY THE ABOVE MANUFACTURE. THE PRODUCT IS IN RETAIL CONDITION. IT HAS NOT BEEN OPENED (THE ORIGINAL MANUFACTURE SEAL HAS NOT BEEN BROKEN).</p> <p>4. THE PRODUCT HAS NOT BEEN PREVIOUSLY COVERED UNDER AN AFTER SALES SERVICE PROGRAM AND WILL NOT BE COVERED IN THE FUTURE WITHOUT OUR PRIOR AGREEMENT BY THE ORIGINAL SUPPLIER AND DISTRIBUTION CHANNEL ORIGIN OF THE PRODUCT. IN ADDITION THE PRODUCT IS ELIGIBLE FOR FUTURE AFTER SALES</p>				

Total



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Item	Description	Qty	Rate	Rcv'd	Amount
	<p>PROGRAMS SUCH AS SMARTNET/JCARE. IF FOR SOME REASON FOR UP TO 1 YEAR IF THE PRODUCT IS NOT ABLE TO BE COVERED UNDER AN AFTER SALES SERVICE CONTRACT, SELLER AGREES TO TAKE PRODUCT BACK FOR A FULL REFUND AND PAY ALL COSTS ASSOCIATED WITH THIS PROCESS.</p> <p>5. FOR CIF/LANDED SALES: DATAQ IS NOT RESPONSIBLE FOR ANY IMPORTATION, INSURANCE AND/OR TRANSPORTATION COSTS AND IS NOT THE LEGAL IMPORTER OF THIS PRODUCT. ANY AND ALL LIABILITIES FOR THE IMPORTATION OF THE PRODUCT ARE FOR THE SELLER'S ACCOUNT.</p> <p>6. SELLER UNDERSTANDS THAT SHOULD THE BUYER BELIEVE A BREACH IN THE ABOVE HAS OCCURRED, THAT ANY PAYMENTS DUE ON THE PRODUCTS OR OTHER RELATED TRANSACTIONS MAYBE WITHHELD IN THE FUTURE UNTIL THE ABOVE REPRESENTATIONS HAVE BEEN CURED TO THE FULL SATISFACTORY OF THE BUYER.</p> <p>7. FOR ALL SHIPMENT THAT ARE HELD BY CUSTOMS FOR ANY REASON AT ALL WILL RESULT IN EXTENSION OF NET TERMS BEGINNING FROM THE DATE SHIPMENT IS RECEIVED BY DATAQ.</p>				

Total



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Origin	Cisco	NET 90	7/19/2017	7/26/2017	Will Call

Item	Description	Qty	Rate	Rcv'd	Amount
Total					
					\$103,724.06

Total	\$103,724.06
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NOTE: Seller represents and warrants that the goods are authentic and lawfully obtained. Seller further represents and warrants that the goods were manufactured by the manufacturer indicated by the part number or description on this PO. Seller hereby submits to any background checks deemed necessary by Buyer. Seller represents and warrants that the Goods are new in the manufacturer's original sealed retail packaging and unregistered from any service contract unless specifically agreed to otherwise in writing by Buyer. Seller will include all necessary, American power cords, with each product shipped where applicable.

Exhibit “B”



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11/2/2017	12013

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FOB	Product Type	Payment Method	Must Ship By	Expected ETA	Ship Via
Origin	Cisco	NET 90	11/9/2017	11/16/2017	Will Call

Item	Description	Qty	Rate	Rcv'd	Amount
AIR-CT2504-15-K9	2500 SERIES WIRELESS CONTROLLER 4 PORTS W/15 ACCESS POINT LICENSE	3	745.00	0	2,235.00
AIR-CT2504-RMNT=	RACKMOUNT FOR 2500 SERIES WIRELESS CONTROLLER	100	25.00	0	2,500.00
CISCO1941W-A/K9	1900 SERIES WIRELESS (802.11 A/B/G/N FCC COMPLIANT WLAN ISM) ROUTER WITH 2 GE, 2 EHWIC SLOTS, 256MB CF, 512MB DRAM, IP BASE	9	350.00	0	3,150.00
CISCO2951-SEC/K9	2951 ROUTER WITH 3 GE, 4 EHWIC, 3 DSP, 2 SM 256MB CF, 512 DRAM, IP BASE WITH SECURITY LICENSE PAK	1	1,300.00	0	1,300.00
CISCO2951-V/K9	2951 ROUTER WITH VOICE BUNDLE (PVDM3-32, UC LICENSE PAK, FL-CUBE10) 3 GE, 4 EHWIC, 3 DSP, 2 SM 256MB CF, 512 DRAM, IP BASE	1	1,500.00	0	1,500.00
CP-PWR-CUBE-3=	IP PHONE POWER TRANSFORMER FOR THE 7900 PHONE SERIES	114	13.00	0	1,482.00
CVR-QSFP-SFP10G	QSFP to SFP10G adapter	10	100.00	0	1,000.00
CVR-X2-SFP10G=	X2 TO SFP+ ADAPTOR MODULE	30	40.00	0	1,200.00
IE-3000-4TC-E	IE 3000 4-PORT BASE SWITCH W/ LAYER 3	1	950.00	0	950.00
IE-4000-4GC4GP4GE	IE 4000 4 x combo 1G with 4 x 1G PoE, 4 x 1G Combo, LAN Bas	1	1,500.00	0	1,500.00
PWR-4430-AC	Cisco 4431 AC Power Supply (Secondary PS) 4430	2	270.00	0	540.00
PWR-C45-1300ACV	CATALYST 4500 1300W AC POWER SUPPLY (DATA AND POE)	2	200.00	0	400.00
PWR-C45-2800ACV=	CATALYST 4500 2800W AC POWER SUPPLY (DATA AND POE)	1	399.00	0	399.00
PWR-IE170W-PC-AC	IE family power supply 170W. AC to DC	10	465.00	0	4,650.00
SF300-24PP-K9-NA	SF300-24PP 24-PORT 10/100 POE+ MANAGED SWITCH WITH GIG UPLINKS	96	210.00	0	20,160.00

Total



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King Of Prussia, PA 19406-4211

Purchase Order

Phone # (610) 354-9070

purchasingteam@dataqdirect.com

Fax # (610) 354-9852

www.DataQDirect.com

Date

P.O. No.

11/2/2017

12013

Vendor

Net Innovate International PTE LTD
Ashish Malhotra
16 Raffles Quay, #33-03
Hong Leong Building
Singapore 048581

Ship To

Seth Krawitz
DataQDirect
530 South Henderson Road
Suite A
King Of Prussia PA 19406

Buyer

SK

FOB	Product Type	Payment Method	Must Ship By	Expected ETA	Ship Via
Origin	Cisco	NET 90	11/9/2017	11/16/2017	Will Call

Item	Description	Qty	Rate	Rcv'd	Amount
SRW248G4-K9-NA	SF300-048 48-PORT 10/100 MANAGED SWITCH WITH GB UPLINKS	9	198.00	0	1,782.00
WS-C2960CG-8TCL	CAT 2960C SWCH 8 GE 1X DUAL UPLINK LAN BASE	5	315.00	0	1,575.00
WS-C2960X-24PD-L	LAN BASE, 24 PORT, 2 SFP+ UPLINKS, 370W POE, OPTIONAL FLEX STACK-PLUS STACKING	14	1,225.00	0	17,150.00
WS-C2960X-24TS-L	LAN BASE, 24 PORT, 4 SFP UPLINKS, OPTIONAL FLEX STACK STACKING	29	598.00	0	17,342.00
WS-C2960X-48PPS-L	LAN BASE, 48 PORT, 4 SFP+ UPLINKS, 740W POE, OPTIONAL FLEX STACK-PLUS STACKING	2	1,780.65	0	3,561.30
WS-C2960X-48LPS-L	LAN BASE, 48 PORT, 4 SFP+ UPLINKS, 370W POE, OPTIONAL FLEX STACK-PLUS STACKING	3	1,342.80	0	4,028.40
WS-C2960X-48TS-L	LAN BASE, 48 PORT, 4 SFP+ UPLINKS, OPTIONAL FLEX STACK-PLUS STACKING	21	950.00	0	19,950.00
WS-C2960X-48TS-LL	LAN LITE, 48 PORT, 2 SFP+ UPLINKS, NO FLEX STACK-PLUS STACKING	3	800.00	0	2,400.00
WS-C3560C-8PC-S	CAT 3560C SWCH 8 FE POE 2 X DUAL UPLINK IP BASE	4	470.00	0	1,880.00
WS-C3650-48FWS-S	Cisco - WS-C3650-48FWS-S - Cisco Catalyst 3650-48F Layer 3 Switch - 48 Ports - Manageable - 48 x POE+ - Stack...	1	1,500.00	0	1,500.00
WS-C3850-24T-S	IP BASE, 24 PORT, 4X1GE AND 2X10GE UPLINKS, 350W DEFAULT PWR NO POE POWER, W/ STACK POWER	1	1,675.00	0	1,675.00
WS-C3850-48P-L	LAN BASE, 48 POE+PORT, 4X1GE AND 2X10GE AND 4X10GE UPLINKS, 715W DEFAULT PWR 435 AVAILABLE POE POWER, W/ STACK POWER	1	2,625.00	0	2,625.00
WS-C3850-48PW-S	IP BASE, 48 POE PORT W/ 5 AP LICENSE	1	2,300.00	0	2,300.00

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16 Raffles Quay, #33-03
Hong Leong Building
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Seth Krawitz
DataQDirect
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Buyer

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FOB	Product Type	Payment Method	Must Ship By	Expected ETA	Ship Via
Origin	Cisco	NET 90	11/9/2017	11/16/2017	Will Call

Item	Description	Qty	Price	Rev'd	Amount
WDCR-4808	IP BASE, 48 PORT, 4X10GE AND 2X10GE AND 4X10GE UPLINKS, 350W DEFAULT PWR NO POE POWER, W/ STACK POWER	2	2,400.00	0	4,800.00
	***THE DEALER HAS 90				
	***PRODUCT must be pack on pallets no taller than 130cm tall				
	***Weights and dimensions along with the shipping address must be given to dealer in order for it to be picked up				
	***This product will be shipped in DataQ's shipping container to DataQ's warehouse				
	***Once the products in DataQ's warehouse, they become selling product				
	***DataQ will give a sales margin every 2 weeks with what products have sold along with payment requirement				
	***The seller is also able to sell from this stock as well and DataQ will pack and ship it for you on you or your customers shipping account				
	***The products will be stored and sold from DataQ's location until the seller and DataQ agree upon a time to end the commitment or 3 months, which ever comes first				
	***At the end of the commitment deal DataQ will buy the unsold stock at the end of the 90 day period at mutually agreeable discounts, discussed and negotiated at the end				
	***DataQ can choose to just buy certain or all products that are left at the end of term				

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Origin	Cisco	NET 90	11/9/2017	11/16/2017	Will Call

Item	Description	Qty	Rate	Rcv'd	Amount
	<p>****THIS SHIPMENT MUST SHIP ON PALLET(S)</p> <p>****ALL PALLETS MUST BE PACKED NO HIGHER THAN 150CM TALL</p> <p>****ALL PALLETS MUST BE SHIPPED USING CORNER BOARD AND STRAPS TO PROTECT THE PRODUCT ALONG WITH BLACK SHRINK WRAP/STRETCHWRAP</p> <p>****INORDER FOR THIS SHIPMENT TO BE PICKED UP BY DATAQ THE WEIGHTS AND DIMMENSIONS MUST BE PROVIDED ALONG WITH SHIPPERS CONTACT INFO (NAME PHONE NUMBER AND EMAIL ADDRESS) PACKING SLIP, SERIALS AND COMMERCIAL INVOICE.</p> <p>****THE COMMERCIAL INVOICE MUST HAVE THE CORRECT DECLARED VALUE ON IT TO ENSURE NO CUSTOMS ISSUES/DELAYS/SEIZURES</p> <p>****THE SERIALS ARE TO BE CLEAN/UNREGISTERED OF ANY AFTER SALES PROGRAMS/WARRANTIES</p> <p>****THIS PO IS PAYABLE NET 90 DAYS AFTER THE PRODUCT HAS REACHED OUR WAREHOUSE.</p> <p>****THIS SHIPMENT MUST BE READY TO SHIP BY 07/19/2017 (WEIGHTS AND DIMMENSIONS HANDED OVER). EVERY DAY AFTER THIS DATE WILL RESULT IN AN EXTENSION OF NET TERMS AT DATAQ'S DISCRETION.</p> <p>****THE BOXES MUST BE IN RETAIL CONDITION, CLEAN WITH NO HAND</p>				

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Item	Description	Qty	Rate	Rcv'd	Amount
	<p>WRITING ON THE BOX</p> <p>****THIS SHIPMENT MUST INCLUDE USA POWER CORD UNLESS OTHERWISE INDICATED</p> <p>****THE PRODUCT MUST HAVE BEEN MANUFACTURED NO EARLIER THAN 1 YEAR BEFORE THE PURCHASE DATE ON THIS PO</p> <p>****THE PRODUCT MUST HAVE THE MOST UP TO DATE SOFTWARE</p> <p>****BOX DATES ARE NOT TO BE EARLIER THAN ONE YEAR BEFORE THE MANUFACTURING PART DATE</p> <p>****BOX DATES ARE NOT TO BE LONGER THEN 30 DAYS AFTER THE MANUFACTURING PART DATE</p> <p>****SHIPMENT MUST BE SHIPPED WITH THE HTS CODE 8517.62.0050 UNLESS STATED OTHERWISE BY DATAQ</p> <p>****PO IS TO SHIP TOGETHER IN FULL AS ONE SHIPMENT UNLESS OTHERWISE STATED BY DATAQ</p> <p>****ALL PRODUCTS ARE TO BE 100% REAL ORIGINAL GENUINE TO THE MANUFACTURE STATED IN THIS PO. NO UPGRADES OR FAKES WILL BE ACCEPTED BY DATAQ</p> <p>****IF ANY OF THE ABOVE CONDITIONS ARE NOT MET DATAQ HAS THE RIGHT TO CANCEL THIS PO/PAYMENT OR RETURN ANY PRODUCT AT ANY POINT</p> <p>ALL CREDIT CARD, SALES TAX AND FREIGHT CHARGES ADDED TO INVOICE</p>				

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Origin	Cisco	NET 90	11/9/2017	11/16/2017	Will Call

Item	Description	Qty	Rate	Rcv'd	Amount
	<p>NOT LISTED ON OUR PO WILL NOT BE PAID AND BE THE RESPONSIBILITY OF THE SHIPPER</p> <p>SELLER REPRESENTS, WARRANTS AND GUARANTEES:</p> <p>1. PRODUCT WAS PURCHASED FROM THE AUTHORIZED BUSINESS PARTNER/DISTRIBUTOR CHANNEL IN A LEGAL AND ETHICAL MEANS.</p> <p>2. WE WILL NOT ACCEPT BOX DATES THAT ARE LATER THE MFG PART DATE</p> <p>3. THE PRODUCT IS GENUINE PRODUCT PRODUCT AND SERIAL NUMBERS, AS WELL AS BOX AND LABELS HAVE NOT BEEN ALTERED OR TAMPERED WITH IN ANYWAY. THE SERIAL NUMBERS ARE THE ORIGINAL SERIAL NUMBERS THAT WERE GENERATED WHEN THE PRODUCT WAS MANUFACTURED BY THE ABOVE MANUFACTURE. THE PRODUCT IS IN RETAIL CONDITION. IT HAS NOT BEEN OPENED (THE ORIGINAL MANUFACTURE SEAL HAS NOT BEEN BROKEN).</p> <p>4. THE PRODUCT HAS NOT BEEN PREVIOUSLY COVERED UNDER AN AFTER SALES SERVICE PROGRAM AND WILL NOT BE COVERED IN THE FUTURE WITHOUT OUR PRIOR AGREEMENT BY THE ORIGINAL SUPPLIER AND DISTRIBUTION CHANNEL ORIGIN OF THE PRODUCT. IN ADDITION THE PRODUCT IS ELIGIBLE FOR FUTURE AFTER SALES</p>				

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Item	Description	Qty	Rate	Rcv'd	Amount
	<p>PROGRAMS SUCH AS SMARTNET/JCARE. IF FOR SOME REASON FOR UP TO 1 YEAR IF THE PRODUCT IS NOT ABLE TO BE COVERED UNDER AN AFTER SALES SERVICE CONTRACT, SELLER AGREES TO TAKE PRODUCT BACK FOR A FULL REFUND AND PAY ALL COSTS ASSOCIATED WITH THIS PROCESS.</p> <p>5. FOR CIF/LANDED SALES DATAQ IS NOT RESPONSIBLE FOR ANY IMPORTATION, INSURANCE AND/OR TRANSPORTATION COSTS AND IS NOT THE LEGAL IMPORTER OF THIS PRODUCT. ANY AND ALL LIABILITIES FOR THE IMPORTATION OF THE PRODUCT ARE FOR THE SELLER'S ACCOUNT.</p> <p>6. SELLER UNDERSTANDS THAT SHOULD THE BUYER BELIEVE A BREACH IN THE ABOVE HAS OCCURRED, THAT ANY PAYMENTS DUE ON THE PRODUCTS OR OTHER RELATED TRANSACTIONS MAYBE WITHHELD IN THE FUTURE UNTIL THE ABOVE REPRESENTATIONS HAVE BEEN CURED TO THE FULL SATISFACTORY OF THE BUYER.</p> <p>7. FOR ALL SHIPMENT THAT ARE HELD BY CUSTOMS FOR ANY REASON AT ALL WILL RESULT IN EXTENSION OF NET TERMS BEGINNING FROM THE DATE SHIPMENT IS RECEIVED BY DATAQ.</p>				

Total

Purchase Order

Date	P.O. No.
11/2/2017	12013

SK

Item	Description	Qty	Rate	Rcv'd	Amount

Exhibit “C”



LUNDY BELDECOS & MILBY

— BUSINESS • REAL ESTATE • TRUSTS & ESTATES —

February 27, 2018

VIA REGULAR & CERTIFIED MAIL, RRR

DataQ Internet Equipment Corporation
530 South Henderson Road
King of Prussia, PA 19406

JESSICA M. GULASH, ESQ.

JGULASH@LBMLAW.COM

PHONE: (610) 668-0772

FAX: (610) 668-7481

RE: Net Innovate International Pte. Ltd.

Dear Sir or Madam:

Please be advised that I represent Net Innovate International Pte. Ltd. ("Net Innovate").

On July 14, 2017, DataQ Internet Equipment Corporation ("DataQ") issued Purchase Order No. 11836 to Net Innovate pursuant to which DataQ purchased goods in the total sum of \$103,724.00 (the "July P.O."). The goods were delivered to DataQ on July 24, 2017. Within 90 days of the delivery date, DataQ was required to either: (a) make payment in full for all goods purchased pursuant to the July P.O.; and/or (b) return any unsold goods to Net Innovate. DataQ failed to return any unsold goods to Net Innovate and has not paid the total amount due under the July P.O. To date, DataQ owes Net Innovate the total sum of \$20,000.00 for goods purchased pursuant to the July P.O.

On November 2, 2017, DataQ issued Purchase Order No. 12013 to Net Innovate pursuant to which DataQ purchased goods in the total sum of \$125,534.70 (the "November P.O."). Those goods were delivered to DataQ on November 14, 2017. Within 90 days of the delivery date, DataQ was required to either: (a) make payment in full for all goods purchased pursuant to the November P.O.; and/or (b) return any unsold goods to Net Innovate. DataQ failed to return any unsold goods to Net Innovate and has not paid the total amount due under the November P.O. To date, DataQ owes Net Innovate the total sum of \$125,534.70 for goods purchased pursuant to the November P.O.

Please be advised that if the total sum of \$145,534.70 is not paid to Net Innovate within ten (10) days from the date of this correspondence, Net Innovate will not hesitate to exercise all of its rights and remedies pursuant to the Purchase Orders and applicable law. This may include, but is not limited to, filing a lawsuit against DataQ.

450 N. Narberth Ave., Suite 200, Narberth, PA 19072 - (610) 668-0770
525 Route 73 North, Suite 410, Marlton, NJ 08053 - (856) 338-1300



Page 2 of 2

Should you wish to discuss this matter, please do not hesitate to contact me. As it is my hope that litigation will not be necessary, I look forward to receiving your payment.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jessica M. Gulash', with a stylized, cursive script.

JESSICA M. GULASH

JMG/

Copy to (via email): Anoop Abrol
Vijendra Gupta